

PS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MARIA ELENA MINCHES GIL, et al.,

Petitioners,

v.

25-CV-0512-MAV
ORDER

STEVEN KURZDORFER, *in his official
Capacity as Acting Field Office Director,
Buffalo Field Office, U.S. Immigration
and Customs Enforcement*, et al.,

Respondents.

Petitioners, Maria Elena Minches Gil and Jose Pablo Zamora Perez, are civil immigration detainees alleged to have been taken into custody at the Buffalo Peace Bridge in Buffalo, New York. Petitioners are represented by counsel, and counsel claims that Petitioners may be detained in United States Immigration and Customs Enforcement custody pending removal proceedings in violation of the United States Constitution. Therefore, Petitioners seek relief under 28 U.S.C. § 2241. Docket Item 1. Petitioners have paid the \$5.00 filing fee.

ORDER

IT IS HEREBY ORDERED that within **45 days** of the date of this Order, Respondents shall file and serve an **answer** responding to the allegations in the Petition; and it is further

ORDERED that within **45 days** of the date of this Order, Respondents shall file and serve, in addition to the answer, a **memorandum of law** addressing each of the issues raised in the Petition and including citations to supporting authority and applicable sections of the Immigration and Nationality Act; and it is further

ORDERED that within **45 days** of the date of this Order, instead of an answer, Respondents may file a **motion to dismiss** the Petition, accompanied by appropriate exhibits demonstrating that an answer to the Petition is unnecessary; and it is further


ORDERED that Petitioners shall have **25 days** after service of the answer or motion to dismiss to file a **written response**; and it is further

ORDERED that the Clerk of Court shall serve a copy of the Petition, together with a copy of this Order, electronically via a Notice of Electronic Filing to the United States Attorney's Office, Western District of New York at USANYW-Immigration-Habeas@usdoj.gov.

PETITIONERS MUST FORWARD A COPY OF ALL FUTURE PAPERS AND CORRESPONDENCE TO THE ATTORNEY APPEARING FOR RESPONDENTS.

SO ORDERED.

Dated: June 18, 2025
Rochester, New York


HON. MEREDITH A. VACCA
UNITED STATES DISTRICT JUDGE